

IN THE DRAWINGS

Applicants propose to add a new sheet of drawings containing new Fig. 6 in accordance with the accompanying NEW SHEET.

#### REMARKS

Enclosed herewith is a Substitute Specification in which the specification as filed has been amended in various places to correct typographical and grammatical errors, and to also add section headings. In addition, the specification as filed has been amended to add a brief description of new Fig. 6 (paragraph [0014]), a detailed description of new Fig. 6 (paragraphs [0024]-[0026]), and an Abstract.

In support of the above, enclosed herewith is a copy of the specification as filed marked up with the above changes.

The undersigned attorney asserts that no new matter has been incorporated into the Substitute Specification.

the claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 1 and 15 have been cancelled, while claims 2-14 have been amended for clarity.

Applicants believe that the above changes answer the Examiner's 37 C.F.R. 1.75(c) objection to claims 7, 8, 14 and 15, and the Examiner's 35 U.S.C. 112, paragraph 2, rejection of claims 7, 8, 14 and 15, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1-6 and 9-13 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,189,649 to Birecki et al. The Examiner has rejected claims 1-6 and 9-13 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,335,213 to Fukumoto et al.

The Birecki et al. patent discloses a method and apparatus for directly overwriting magnetooptic data storage media, in which a continuous laser beam 22 and a pulsed laser beam 26 are directed to adjacent portions of a data storage medium while the portions are subjected to a magnetic field from electromagnet 16. During irradiation by each of the laser beams, the irradiated portion of the optical media rises in temperature which then must be reduced prior to that portion being further processed by the other laser beam or the other magnetic pole of the electromagnet.

The subject invention relates to controlling a semiconductor laser in a disk drive such that the temperature of the semiconductor laser does not exceed a critical temperature.

As noted in MPEP §2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The Examiner has indicated that all of the limitations in claim 2 are found in Birecki et al., and particularly notes col. 6, lines 31-64.

Applicants submit that the Examiner is mistaken. In particular, while the noted section of Birecki et al. mentions

temperature, this is the temperature of the irradiated media as opposed to the semiconductor laser. Further, this section of Birecki et al. indicates that the media cools "as the medium travels from the continuous laser beam 22 to the reversed magnetic field 18 and from the pulsed laser beam 26 to the non-reversed magnetic field 20,..." (col. 6, lines 55-60).

Applicants submit that nowhere in Birecki et al. is there any disclosure or suggestion of "measuring a light intensity of a laser beam generated by said semi-conductor laser device", "controlling said electrical power such that said light intensity remains constant", "measuring at least one electrical parameter indicative of the work point of said semi-conductor laser device" and "determining an operational temperature of said semi-conductor laser device on the basis of a predetermined relationship between said work point and said operational temperature".

The Fukumoto et al. patent discloses positional detection of a magneto-optic recording medium for controlling irradiation of a relief region, in which the light output from a laser device is directed to a photodetector as part of a closed-loop control of the laser output power (col. 11, lines 39-51). This laser output power is then controlled such that "the state of temperature distribution on the magneto-optical disc 11 produced by laser beam radiation is changed with changes in an output power of the laser light source" (col. 11, lines 1-4).

Applicants submit, however, that Fukumoto et al. neither discloses nor suggests "measuring at least one electrical

parameter indicative of the work point of said semi-conductor laser device" and "determining an operational temperature of said semi-conductor laser device on the basis of a predetermined relationship between said work point and said operational temperature".

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 2-14, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by           /Edward W. Goodman/            
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